

Landowner Specific Narrative Summary

Elizabeth Seeber Murphy, as Trustee of the Elizabeth Seeber Murphy Living Trust and the Marie F. Seeber Family Trust

To date, ATXI has been unsuccessful in obtaining an easement from Ms. Elizabeth Seeber Murphy, as Trustee of both the Elizabeth Seeber Murphy Living Trust and the Marie F. Seeber Living Trust. The Trusts each have an undivided one half-interest in one parcel totaling approximately 227 acres along the Sidney to Rising segment of the Project in Champaign County, Illinois. The property at issue has been designated internally as ILRP_RS_CH_005_ROW. As summarized on Exhibit 2.1, as of June 11, 2014, ATXI has contacted, or attempted to contact, Ms. Seeber's counsel on approximately 35 occasions, including 10 phone calls, 4 letters, 5 in-person meetings and 16 emails. The firm Webber and Thies, P.C. represents Ms. Seeber.

ATXI has engaged in negotiations with Mr. Richard Thies and Mr. James Shultz, attorneys at Webber and Thies since October 10, 2013, regarding this parcel. Mr. Shultz is no longer employed by this firm and is no longer representing the owner. These attorneys expressed concern with the survey consent form, the terms of the easement, the location of the easement and the amount of compensation offered for the easement.

To address counsel's concerns with the survey consent form, ATXI engaged in extensive negotiations and ultimately agreed to several restrictions requested by the Trusts' attorney on a modified survey consent form.

To address counsel's concerns regarding easement terms, ATXI has engaged in extensive negotiations beginning in January of 2014 and continuing to date. On January 14, 2014, Mr. Shultz informed the land agent that he suspected Mr. Thies would be providing an updated draft of the easement agreement within the next few days. ATXI received that draft three months later

on March 17, 2014, which included extensive modifications to the easement agreement, including, but not limited to, limitations on telecommunications usage, ingress and egress access, vegetation management, transmission line height, and rights of assignability. The amended easement also contained additional damage clauses and indemnification modifications. Mr. Thies also explained that he wanted all terms that pertain to the land included in the easement and not in the confidential settlement agreement. Negotiations regarding the terms of the easement and the confidential settlement agreement remain on-going.

ATXI responded to pole location concerns presented on January 27, 2014, when Mr. Thies questioned why ATXI could not put the two transmission lines together. At that time, the land agent informed him that such co-location was not possible due to reliability and safety concerns.

Finally, with respect to compensation, ATXI received a counteroffer on April 22, 2014, which was based on an appraisal for another landowner's parcel completed by Ameren Illinois Company "AIC". To support his counteroffer, Mr. Thies referred to his understanding of negotiations between ATXI and another landowner along the Sydney to Rising segment and provided a one page valuation sheet, which he claimed was a part of the AIC appraisal, but refused to provide the entire appraisal the valuation page came from, claiming a conflict of interest. ATXI did obtain the entire appraisal and determined that the damages to the remainder found in that appraisal were not applicable to this parcel. ATXI explained to Mr. Thies that using another landowner's appraisal not specific to this parcel was not realistic. The ATXI representative did however provide an updated offer based on a change in the FEMA flood plain maps, and to date, is awaiting the landowner's response.

Given the disparity with respect to compensation, the length of negotiations regarding easement terms: an agreement in a timely manner is unlikely to occur, and thus eminent domain authority is necessary for this landowner.

Agent Checklist with Landowner

1. Landowner contacted to set up initial appointment no sooner than 14 days after the 14 day letter was sent ☒
2. Initial appointment set for 9/23/2013 ☒
3. Activity Note entered regarding Initial Meeting, including specifics regarding landowner concerns, if any, and details of meeting ☐
4. Prepare and review Acquisition documents and maps ☒
5. Provide landowner with business card and show Ameren ID badge ☒
6. Ask the landowner they received the 14 day letter: ☒
 - a. Ask if the landowner read 14 days letter
 - b. Does landowner have any questions regarding letter:

7. Provide/explain the purpose of the project ☒
8. Discuss routing and how it affects landowner: ☒
 - a. Provide Fact Sheet about the project
 - b. Provide landowner copies of:
 - i. Small scale map of the project
 - ii. Sketch and description of type of facilities/structures
 - iii. Approximate location of facilities
 - iv. Option for Easement including exhibit showing length and width of the easement area
 - v. Memorandum of Option Exhibit B
9. Make compensation offer, provide calculation sheet and explain basis of offer ☒
10. Discuss subordination of mortgage, if applicable ☒
11. Complete Construction Questionnaire, including name of tenant, if applicable ☒
12. Provide EMF brochure, if requested ☒
13. Enter initial offers and counter-offers if any, into CLS Viewer. Contact tenant, as appropriate; complete tenant consent form if applicable ☒
14. Agent Name (Print and Sign) Don Carter ☒

Champaign County, IL

PT of of Section 7, Township 19 N, Range 8 E, 3rd Prime Meridian, Champaign County, Illinois

Tax ID: 032007200001



Ameren - Illinois Rivers



Contract Land Staff, LLC
2245 Texas Drive, Suite 200
Sugar Land, TX 77479

For discussion purposes only. All measurements and distances are approximations and pend final survey and engineering.

Route Adjacent Tracts
Tracts Section Boundary

0 220 440 880 1,320
Feet

SEEBER MARIE & MURPHY E

Tract No.:ILRP_RS_CH_005

Date: 4/29/2014

EXHIBIT "A"

AN 8.826 ACRE TRACT OF LAND SITUATED IN THE NORTH 1/2 OF SECTION 7, TOWNSHIP 19 NORTH, RANGE 8 EAST OF THE 3RD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS AND BEING PART OF A TRACT OF LAND DESCRIBED AS TRACT 6 IN DEED TO ELIZABETH SEEGER MURPHY, TRUSTEE OF THE MARIE F. SEEGER FAMILY TRUST, RECORDED IN DOCUMENT NO. 2013R26853 OF THE DEED RECORDS OF CHAMPAIGN COUNTY, ILLINOIS (D.R.C.C.I.) AND AS TRACT 7 IN DEED TO ELIZABETH SEEGER MURPHY, TRUSTEE OF THE ELIZABETH SEEGER MURPHY LIVING TRUST, RECORDED IN DOCUMENT NO. 2006R00007, D.R.C.C.I. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN COUNTY ROAD 1700 N, SAME BEING THE NORTH LINE OF SAID NORTH 1/2, FROM WHICH A 1/2-INCH IRON ROD WITH A CAP FOUND IN SAID COUNTY ROAD AT THE NORTH 1/4 CORNER OF SAID SECTION 7 BEARS SOUTH 89 DEGREES 18 MINUTES 00 SECONDS WEST, A DISTANCE OF 1,191.94 FEET, SAID POINT OF BEGINNING HAVING GRID COORDINATES OF N:1260478.59, E:982743.08;

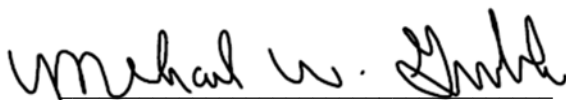
THENCE NORTH 89 DEGREES 18 MINUTES 00 SECONDS EAST, ALONG SAID COUNTY ROAD AND SAID NORTH LINE, A DISTANCE OF 150.00 FEET TO A POINT FOR CORNER, FROM WHICH A 1-INCH IRON PIPE FOUND IN THE APPROXIMATE INTERSECTION OF SAID COUNTY ROAD WITH N RISING ROAD AT THE NORTHEAST CORNER OF SAID SECTION 7 BEARS NORTH 89 DEGREES 18 MINUTES 00 SECONDS EAST, A DISTANCE OF 1,303.04 FEET;

THENCE SOUTH 00 DEGREES 36 MINUTES 41 SECONDS EAST, LEAVING SAID COUNTY ROAD AND SAID NORTH LINE, A DISTANCE OF 2,563.96 FEET TO A POINT FOR CORNER IN THE NORTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 72 (VARIABLE WIDTH RIGHT-OF-WAY);

THENCE SOUTH 89 DEGREES 55 MINUTES 35 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 150.01 FEET TO A POINT FOR CORNER;

THENCE NORTH 00 DEGREES 36 MINUTES 41 SECONDS WEST, LEAVING SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 2,562.32 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 384,471 SQUARE FEET OR 8.826 ACRES OF LAND, MORE OR LESS.

BEARING BASIS: ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAD 83(2011), EAST ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.



MICHAEL W. GERBERICK
PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 035-002683
STATE OF ILLINOIS PROFESSIONAL
DESIGN FIRM LICENSE NO. 184.006475

DATE: 04/08/2014



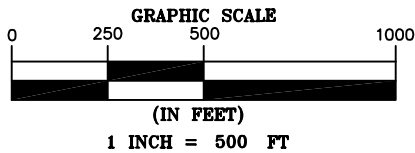


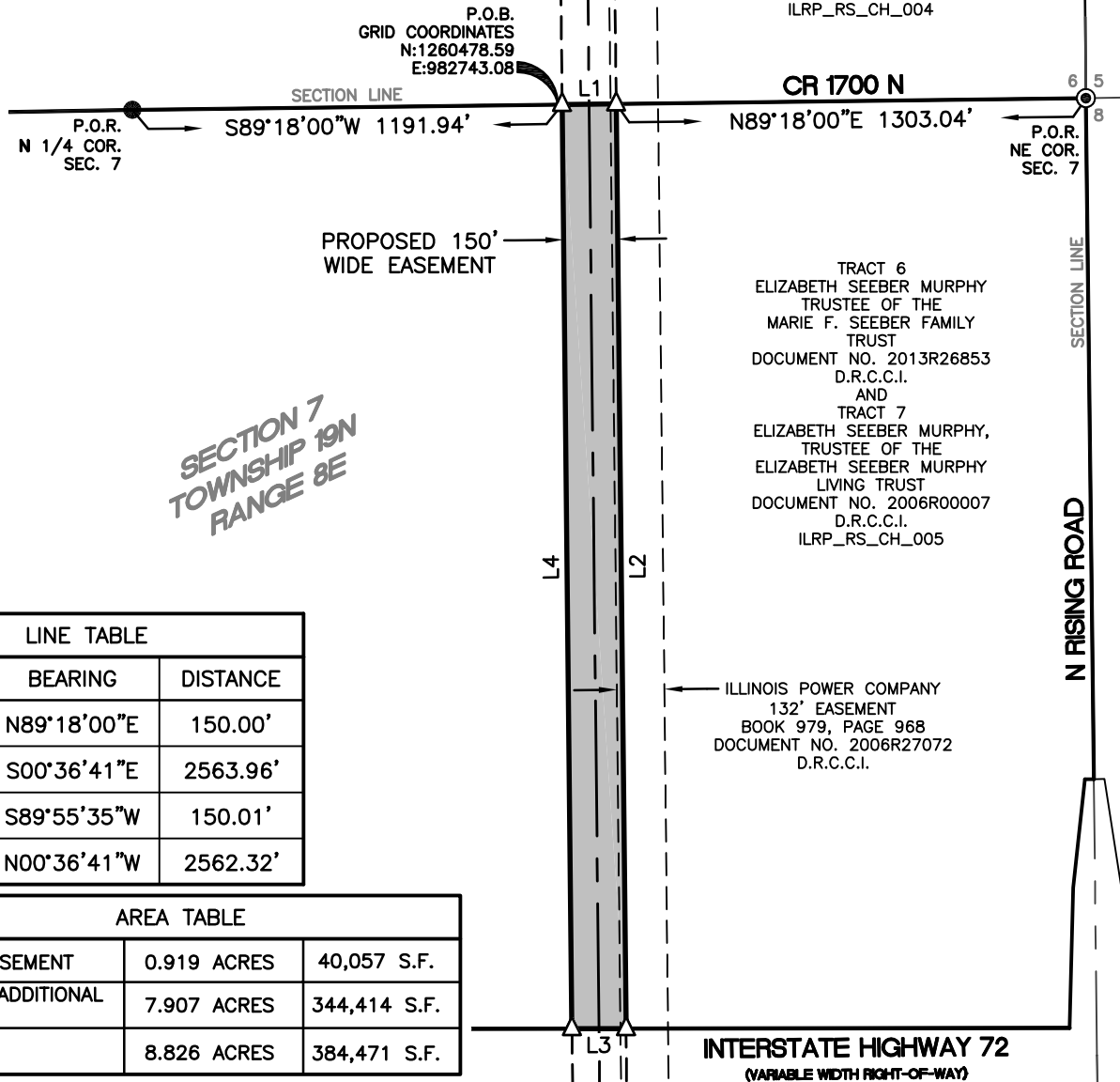
EXHIBIT "A"

ATXI Exhibit 2.3

Part B

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ALEXANDER C. LO, TRUSTEE OF
"ATSA TRUST NUMBER ONE"
DOCUMENT NO. 2012R13351
D.R.C.C.I.
ILRP_RS_CH_004



LINE TABLE

NUMBER	BEARING	DISTANCE
L1	N89°18'00"E	150.00'
L2	S00°36'41"E	2563.96'
L3	S89°55'35"W	150.01'
L4	N00°36'41"W	2562.32'

AREA TABLE

EXISTING EASEMENT	0.919 ACRES	40,057 S.F.
PROPOSED ADDITIONAL EASEMENT	7.907 ACRES	344,414 S.F.
TOTAL	8.826 ACRES	384,471 S.F.

LEGEND

D.R.C.C.I.

DEED RECORDS
CHAMPAIGN COUNTY, ILLINOIS
POINT OF BEGINNING
POINT OF REFERENCE
1/2" IRON ROD WITH CAP FOUND
1" IRON PIPE FOUND
CALCULATED POINT

P.O.B.

P.O.R.



2 | 1

11 | 12

TYPICAL SECTION CORNER

SECTION LINE

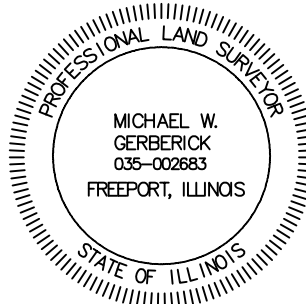
SUBJECT PROPERTY LINE

PROPERTY LINE

PROPOSED EASEMENT CENTERLINE

PROPOSED EASEMENT

EXISTING EASEMENT



Michael W. Gerberick

MICHAEL W. GERBERICK
PROFESSIONAL LAND SURVEYOR
NO. 035-002683 - STATE OF ILLINOIS
PROFESSIONAL DESIGN FIRM
LICENSE NO. 184.006475 - STATE OF ILLINOIS

NOTES:

- THIS EXHIBIT DOES NOT REFLECT ANY UNDERGROUND UTILITIES, EASEMENT OF RECORD OR OTHER ENCUMBRANCES THAT MAY AFFECT THE SUBJECT TRACT.
- REFERENCE IS MADE TO THE DESCRIPTION OF EVEN DATE ACCOMPANYING THIS SKETCH.

SHEET 02 OF 02

PROJECT: ILLINOIS RIVERS
JOB NUMBER: 32359
DATE: 04/08/2014
SCALE: 1" = 500'
TRACT ID: ILRP_RS_CH_005
DRAWN BY: TR



150' TRANSMISSION LINE EASEMENT
SIDNEY TO RISING
SECTION 7, TOWNSHIP 19 NORTH, RANGE 8 EAST
OF THE 3RD PRINCIPAL MERIDIAN
CHAMPAIGN COUNTY, ILLINOIS